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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/744,010	12/24/2003	Yen-Ho Chiang	MR957-1436	9415

4586 7590 12/17/2004

ROSENBERG, KLEIN & LEE
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ELLICOTT CITY, MD 21043

EXAMINER

ROYAL, PAUL

ART UNIT	PAPER NUMBER
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3611

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/744,010

Applicant(s)

CHIANG, YEN-HO

Examiner

Paul Royal

Art Unit

3611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claims 3, 4 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

For claims 3 and 4, The elements recited as “PP” and “PS” have not been disclosed. There is no explanation of “PP” and “PS”. In view of this claims 3 and 4 will not be treated on their merits.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Dwyer et al. (US 6,405,465).

Dwyer et al. teaches an ornamental panel comprising:

a primary plate (14);

an adhesive layer (16) formed over the front side of the primary plate;

a transparent protecting film (18) detachably stuck on the adhesive layer; and
a magnet plate (12) to the rear side of the primary plate;
the adhesive layer having such a stickiness that a piece of paper can be
stuck thereon, and detached therefrom without causing any damage
to itself.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2, 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Dwyer et al., as applied to claim 1, in view of Takashi et al. (4,075,050).

Dwyer et al., as applied to claim 1, teaches an ornamental panel as recited
except wherein the primary plate is plastic synthetic paper.

Takashi et al. teaches using plastic synthetic paper for printed displays having a
matte finish to provide improved printability, opacity, and strength.

It would have been obvious to one of ordinary skill in the art at the time of the
invention to modify the ornamental panel of Dwyer et al., as applied to claim 1, to
include using plastic synthetic paper, as taught by Takashi et al., for printed displays
having a matte finish to provide improved printability, opacity, and strength.

For claims 5 and 6, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide whatever indicia/patterns, or drawings desired by the user, since it would only depend on the intended use of the ornamental panel and the desired information to be displayed.

Further, it has been held that when the claimed printed matter is not functionally related to the invention it will not distinguish the invention from the prior art in terms of patentability. Here, the primary plate having patterns or drawings presents no novel and unobvious functional relationship between the instant invention and the prior art.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dwyer et al., as applied to claim 1, in view of Volkert (6,068,903).

Dwyer et al., as applied to claim 1, teaches an ornamental panel as recited except wherein the adhesive layer is made of hydrated glue mixed with a release agent.

Volkert teaches a promotional item which includes a display (25) having an adhesive layer made of hydrated glue mixed with a release agent.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the ornamental panel of Dwyer et al., as applied to claim 1, to include a display (25) having an adhesive layer made of hydrated glue mixed with a release agent, see Figure 2.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dwyer et al., as applied to claim 1, in view of Sakai (US 6,683,520).

Dwyer et al., as applied to claim 1, teaches an ornamental panel as recited expect wherein the magnet plate is attached to the primary plate by means of hot melt.

Sakai teaches using hot melt to bond a magnet plate (1) to a sheet (3) to provide a reusable display.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the ornamental panel of Dwyer et al., as applied to claim 1, to include using hot melt to bond a magnet plate to a sheet, as taught by Sakai, to provide a reusable display.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dwyer et al., as applied to claim 1, in view of Heller, Jr. et al. (3,941,641)

Dwyer et al., as applied to claim 1, teaches an ornamental panel as recited expect wherein the magnet plate is attached to the primary plate by means of high frequency.

Heller, Jr. et al. teaches using a bonding agent (3) which includes magnetic particles to bond plates (1) and (2) by applying high frequency means form a magneto-plastic bond provides a highly improved bonding method and apparatus which can be readily applies to various structures, processes and devices.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the ornamental panel of Dwyer et al., as applied to claim 1, to using a bonding agent (3) which includes magnetic particles to bond plates (1) and (2) by applying high frequency means to form a magneto-plastic bond, as taught by Heller, Jr.

et al., to provide a highly improved bonding method and apparatus which can be readily applies to various structures, processes and devices.

Conclusion


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ito teaches a display device. Stern teaches advertising materials. Brennan teaches a magnetic post card. Kreckel et al. teaches an image graphic system. Hunt et al. teaches micro-particle taggant systems. Seiber et al. teaches a display board system. Sakai teaches a sealed magnet article. Ray, III et al. teaches a clean release magnet label.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Royal whose telephone number is 703-308-8570. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley D. Morris can be reached on 703-308-0629. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

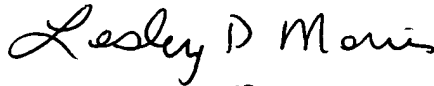
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



P. Royal
12/14/04

Paul Royal
Examiner
Art Unit 3611



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